

1 Tony L. Richardson (SBN 126230)
2 Kirkland & Ellis LLP
3 777 South Figueroa Street
4 Los Angeles, California 90017
5 Telephone: (213) 680-8400
6 Facsimile: (213) 680-8500

7 Daniel F. Attridge, P.C.
8 Edward C. Donovan
9 Gregory F. Corbett
10 John T. Battaglia
11 Justin P.D. Wilcox
12 Kirkland & Ellis LLP
13 655 Fifteenth Street, N.W.
14 Washington, D.C. 20005
15 Telephone: (202) 879-5000
16 Facsimile: (202) 879-5200

17 Attorneys for Defendant
18 B. Braun Medical Inc.

19
20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**

22 ICU MEDICAL, INC.,)	CASE NO.CV-01-3202-CRB (MEJ)
23)	
24 Plaintiff,)	Honorable Charles R. Breyer
25)	
26 vs.)	BRAUN'S ADMINISTRATIVE REQUEST
27)	PURSUANT TO L.R. 7-10 TO HAVE
28 B. BRAUN MEDICAL INC.)	CERTAIN DOCUMENTS FILED UNDER
29)	SEAL PURSUANT TO L.R. 79-5
30 Defendant.)	
31)	

32
33 B. Braun Medical Inc. ("Braun") respectfully requests, pursuant to Local Rule 7-10, a Court
34 Order that certain documents filed with Braun's April 1, 2005 motions be filed under seal pursuant to
35 Local Rule 79-5. Specifically, Braun requests that (1) the confidential version of Braun's Motion and
36 Memorandum in Support Thereof for Summary Judgment that Plaintiff ICU Medical, Inc. is Not
37 Entitled to Lost Profit Damages; (2) the confidential version of the Declaration of Kenneth Raines in
38 Support of Braun's Motion for Summary Judgment that Plaintiff ICU Medical, Inc. is Not Entitled to
39 Lost Profit Damages, and Exhibit A thereto; (3) attached excerpts from the 12/9/04 Deposition of
40 Gregory S. Jones, attached as Exhibit Q to the Declaration of John Battaglia in Support of Braun's
41 Motion for Summary Judgment that Plaintiff ICU Medical, Inc. is Not Entitled to Lost Profit Damages,
42 be filed under seal on April 1, 2005; and (4) the confidential version of Braun's Motion and

Memorandum for Invalidity of the '204 Patent Claims Based on 35 U.S.C. § 112 ¶ 1. Braun's request is "narrowly tailored to seal only the particular information that is genuinely privileged or protectable as a trade secret or otherwise has a compelling need for confidentiality." As set forth in the accompanying Declaration of John T. Battaglia in Support of Braun's Administrative Request, good cause exists for sealing the excerpts designated thereof.

Dated: April 4, 2005

Respectfully submitted,

/s/

Tony L. Richardson (SBN 126230)
Kirkland & Ellis LLP
777 South Figueroa Street
Los Angeles, California 90017
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Daniel F. Attridge, P.C.
Edward C. Donovan
Gregory F. Corbett
John T. Battaglia
Justin P.D. Wilcox
Kirkland & Ellis LLP
655 15th Street, N.W.
Washington, D.C. 20005
Telephone: (202) 879-5000
Facsimile: (202) 879-5200

Attorneys for Defendant
B. Braun Medical Inc.